



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF NURSING Meeting Minutes
DATE AND TIME:	Wednesday, April 10, 2013 at 9:00 a.m.
PLACE:	Cannon Building, Second Floor Conference Room A 861 Silver Lake Blvd., Dover, DE 19904
Minutes Approved:	May 8, 2013

MEMBERS PRESENT

Evelyn Nicholson, President, Public Member
Robert Contino, RN, Vice President, Nurse Education Member
Kathy Bradley, LPN Member
Lyron Deputy, RN Member
Dianne Halpern, RN Member (left at 2:40 p.m.)
Madelyn Nellius, Public Member
David Salati, RN Member
Tracy Littleton, LPN Member
Delphos Price, APN Member (left at 2:40 p.m.)
Harland Sanders, Jr., Public Member
Pamela Tyranski, RN Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Pamela Zickafoose, Executive Director
Sheryl Paquette, Board Liaison
Patty Davis-Oliva, Deputy Attorney General

MEMBERS ABSENT

Robert Maddex, Public Member
Mary Lomax, Public Member
Gwelliam Hines, RN Member – Resigned, effective this date.

ALSO PRESENT

Juli LaBadia, Wilcox and Fetzer
Amy Cosgrove
Jessica Rogers
Jessinae Masanque
Melissa Werner
Ashley Fue
Jamie Engle
Lisa Schieffert
Connie Bushy, M.H. Rollins School of Nursing at Beebe Medical Center
Sylvia K. Nawrot
Tammy Paxton, DTCC, Owens Campus
Triciainette Hill

Debra Ogaja-Owino
Allison Fayock
Elizabeth Frankel

Ms. Nicholson called the meeting to order at 9:05 a.m. The Board introduced themselves to the public.

REVIEW OF MINUTES

The Board reviewed the minutes of the March 13, 2013 meeting. Ms. Nellius made a motion, seconded by Mr. Deputy, to approve the minutes as written. By majority vote, the motion carried, with Mr. Price, Mr. Sanders, and Ms. Tyranski abstaining.

ADOPTION OF THE AMENDED AGENDA

Ms. Nicholson requested to amend the agenda by adding item '9.3.1 Hearings' and changing '9.3.2 Consent Agreements' and '9.3.3 Hearing Panel Findings/Decision/Orders' to reflect the correct number continuance. Mr. Sanders made a motion, seconded by Mr. Price, to adopt the amended agenda as corrected. By unanimous vote, the motion carried.

Ms. Nicholson welcomed Mr. Price back to the Board after his brief absence. Mr. Price asked for special privilege to address the Board and Ms. Nicholson granted this. Mr. Price thanked the Board for their support after his recent surgery and he informed them that his daughter passed the NCLEX-RN exam in Pennsylvania. She plans to work at CHOP.

ACTIVITIES REPORT

Dr. Zickafoose provided a report of the number and types of active licenses as of April 9, 2013.

Total Active Licenses = 20,286

APN = 1281

RN = 16,024

LPN = 2981

Total permits= 21

UNFINISHED BUSINESS

None

COMMITTEE REPORTS

APN Committee – Mr. Price said the committee is moving forward with the Consensus Model and will be meeting with Delaware legislators in the near future. They are trying to get APNs all over the State to talk to their legislators for support of the Consensus Model. Dr. Zickafoose read the letter from the Board of Medical Licensure and Discipline stating they do not support the proposed bill. Members discussed their primary opposition was related to eliminating the collaborative agreement. This will be discussed at the next APN Committee meeting. Mr. Price provided feedback from the APRN Roundtable meeting he attended in Chicago. He found the meeting to be very nurse practitioner focused. He reported other states are going forward with their Consensus Model bills even without medical practice support. He also reported that APRN education programs at both Duke and Rush Universities have large online components but students do not have to complete clinical in their home states. If they choose to do clinical in their home state, they must find their own clinical. Board members discussed online APRN programs that might not be as rigorous as Duke and Rush and they concluded that online programs should include the same number of hours as traditional programs and have clear guidelines.

AWSAM Committee – Ms. Tyranski said the committee met on March 27th. The Curriculum Committee continues to work on the revisions to the LLAM process. This sub-committee was unable to meet in March due to lack of a quorum. They will meet again in April. The AWSAM committee worked on section 5 of the Rules, and after many revisions, agreed there will be multiple versions of tests for caregivers. This will assure that the same test is not given every year. Curriculum and training for instructors still needs to be worked out. They just started working on the error report and how the Board will track those errors. Ms. Tyranski said the Division of Developmental Disabilities has asked the Board to look at online training for assistive personnel. She said it is a very comprehensive, interactive, online learning system and might be an option for the core curriculum for state-run programs. The next meeting for this committee is scheduled for May 21, 2013 at 3:30 p.m. at the Cannon Building, Dover.

Practice and Education Committee – Dr. Contino said the committee met on March 19th in Dover. He said the meeting focused on an application from Sussex Central High School for a new LPN Program which the committee did not approve at this time. A site visit is planned for LEADS School on Monday, April 15, but Dr. Contino will be unable to attend due to a family funeral. He said the group can go as planned without him or reschedule for another date. Dr. Zickafoose will confer with the other members and reschedule the visit. The next P & E meeting is scheduled for June 14, 2013 to review action plans.

PRESIDENT'S REPORT

Ms. Nicholson informed everyone that Ms. Gwelliam Hines has resigned from the Board of Nursing. She read an email from Ms. Hines and said publicly, and for the record, that she wanted to thank Ms. Hines for her service to the Board and to the citizens of Delaware, and that all the members of the Board wished Ms. Hines well.

EXECUTIVE DIRECTOR'S REPORT

Dr. Zickafoose said renewals for RNs have begun and audit notices went out on April 1, 2013 for the February renewal group. The CEs and employer reference forms are due by April 22nd. All nursing Boards received a letter from the Department of Veterans Affairs which is pursuing national policy that will recognize the full practice status of all VA Advanced Practice Registered Nurses (APRN) and the ability of VA nurses to use protocols in the delivery of patient care. The Consensus Model will be the foundation, and the authority for this national policy is Title 38, United States Code. What was presented seems consistent with our current practice.

Dr. Zickafoose stated national licensure was a topic raised at the Midyear meeting in California which no one from DE attended. There will be a special meeting of all Executive Directors in July to discuss national licensure. The NCSBN supports compact licensure for RNs and APNs rather than a national licensure model.

Ms. Paquette, Ms. Childears, and Dr. Zickafoose attended a conference on criminal background checks sponsored by the State of DE. A handbook for understanding criminal records as well as information on pardons was shared with the group and is available at apex.delawareworks.com.

The Division is pleased to announce they have selected a 3rd party vendor for the VTO program who will monitor participants in the VTO program. Financial negotiations are underway and processes will be transitioned over the coming months.

Dr. Zickafoose reported that Excelsior would like to present to the Board at the May meeting and she would be working with them to accommodate their schedules. Lastly, committee meetings and nursing school speaking engagement requests have increased and kept Dr. Zickafoose busy.

Mr. Price commented about criminal background checks and stated that Nursys has a new program available to employers to notify them when an employee has any action taken against his or her license. Dr. Zickafoose added the program is called "E-notify" and she shared this with the members of the Delaware Organization of Nurse Leaders. The program is free for the first 100 nurses and then costs the employer \$1 per nurse per year. Members discussed the costs may be prohibitive for large organizations; however, they felt the public safety aspects of the program outweighed monetary costs.

NEW BUSINESS BEFORE THE BOARD

LICENSEE APPLICATION REVIEWS

By Examination

Tara Wilde, GPN

Ms. Wilde was graduated from DTCC, Owens Campus, Delaware, in December 2012. Her criminal background showed Criminal Trespass First Degree (Rule 15.3) on 4/22/1998; Offensive Touching (Rule 15.2.7) on 4/22/1998; and Disorderly Conduct – Fighting or Violent Tumultuous or Threatening Behavior (Rule 15.6) on 12/4/2003. Ms. Wilde submitted a letter of explanation, disposition paperwork, and four positive letters of reference. Mr. Sanders made a motion, seconded by Ms. Halpern, to grant a waiver for Ms. Wilde to sit for the exam. By unanimous vote, the motion carried.

By Endorsement

Linda Clark, RN

Ms. Clark was graduated from Trinity Health System School of Nursing, Steubenville, Ohio in December 2003. Her letter to the Board stated her husband relocated several times causing the months of her employment to be shortened; therefore, she does not have references from her last two employers. She said she had maintained an active license in Pennsylvania during that time. Ms. Clark sent in a letter dated 3/6/13, showing proof of new employment. No letters of reference were submitted. Mr. Price made a motion, seconded by Ms. Tyranski, to grant a waiver for licensure by endorsement. By unanimous vote, the motion carried.

By Reinstatement

Kimberly Paul, RN

Ms. Paul submitted two employer references; however, no personal letters of reference were submitted. In addition, her record showed a previous discipline. Ms. Nicholson said Ms. Paul had one negative and one positive employment reference. Mr. Salati said he was leaning towards denying her reinstatement with a right to a hearing based on those references. Ms. Tyranski said Ms. Paul's employment dates were 2009 and the other in 2011, leaving a two-year span between them. She wondered if Ms. Paul had improved in those two years, since the 2011 employment reference was the positive one. Mr. Deputy said Ms. Paul could explain the circumstances at a hearing. Mr. Salati made a motion, seconded by Ms. Tyranski, to propose to deny licensure by reinstatement with the right of the applicant to a hearing. By majority vote, the motion carried, with Dr. Contino abstaining.

Triciainette Hill, LPN

Ms. Hill's criminal history shows Disorderly Conduct (Rule 15.6). Her letter of explanation said she was actually trying to stop an attack on one female by three others when police arrived and arrested everyone. Ms. Hill submitted disposition paperwork, two positive letters of reference, and an evaluation letter. Mr. Salati questioned a possible typo error on her application with regard to her employment. As Ms. Hill was in the audience, the Board asked her for clarification on this. Mr. Price made a motion, seconded by Mr. Deputy, to approve licensure by reinstatement. By unanimous vote, the motion carried.

Advanced Practice Nurse

None

Renewal

None

COMPLAINT ASSIGNMENTS/ASSIGNED BOARD CONTACT PERSON

Ms. Halpern made a motion, seconded by Ms. Nellius, to ratify the following complaint assignments given to the respective Board contact person. By unanimous vote, the motion passed.

11-15-13 Sanders	11-16-13 Halpern	11-17-13 Salati	11-18-13 Deputy
11-19-13 Bradley	11-20-13 Bradley	11-21-13 Price	11-22-13 Nellius
11-23-13 Tyranski	11-24-13 Littleton	11-25-13 Salati	11-26-13 Hines
11-27-13 Hines	11-28-13 Sanders	11-29-13 Price	11-30-13 Littleton
11-31-13 Hines			

With the resignation of Ms. Hines, complaints 11-26-13, 11-27-13, and 11-31-13 were reassigned as of this date to Ms. Nellius.

CLOSED COMPLAINTS

Closed complaints do not need a vote; they are for information only to get into the record.

Dismissed by the Attorney General's Office.

11-72-12

Closed Investigations by the Division of Professional Regulation

11-33-12 11-06-13 11-85-12

HEARINGS/CONSENT AGREEMENTS – RATIFICATION & SIGNATURE

Consent Agreement(s)

Constance Nickerson, RN

Ms. Davis-Oliva read the consent agreement for the Board. It stated Ms. Nickerson was responsible for a medication error to a patient. Due to this medication error, she voluntarily surrendered her license. Ms. Nickerson said the consent agreement stated the Respondent and State agree that the permanent cancellation of Respondent's license resolves the pending complaint against Respondent. Ms. Davis-Oliva said the Board does not have a mechanism for surrender of a license. She said the Board can only accept or reject the consent. Mr. Sanders said he would like to see the consent sent back and recommendations made to revoke or suspend Ms. Nickerson's license so she will need to reappear before the Board if she wants her license activated again. Ms. Davis-Oliva said the Board can ask that the consent agreement be written in language that is consistent with the Board's Rules and Regulations; for instance, using the terms 'license surrendered' or 'indefinite suspension' instead of 'canceled'. There was considerable discussion amongst the Board about the possibility of Ms. Nickerson reactivating her license at a later date if no discipline is imposed regarding the medication error. Ms. Nicholson said if no discipline is applied then Ms. Nickerson does not have to put that on any application she submits in the future to any state. Dr. Contino said he did not want to see her barred from practice for this one event. Mr. Price said the language is incorrect as presented in the consent agreement and he wanted it sent back for clarification. Mr. Price made a motion, seconded by Mr.

Deputy, to reject the consent agreement, and that notations be made to the Deputy Attorney General that the language is inconsistent with the Board's Rules and Regulations, Chapter 19 and the Nurse Practice Act. By unanimous vote, the motion carried.

Kimberly Mifflin, RN

Ms. Davis-Oliva read the consent agreement for the Board. It stated Ms. Mifflin used credit cards of two different people, once in December 2011, and the other in March 2012, both times while working in Maryland with a compact Delaware license. The Maryland Board of Nursing entered into a consent agreement with her and Ms. Mifflin received a letter of reprimand. Dr. Contino questioned the compact license policies regarding her ability to work in Maryland and Delaware. Ms. Davis-Oliva said if both Boards agree to Ms. Mifflin continuing to work in Maryland then she would still be able to do that. Mr. Price asked if she was still working in the same place but it was not known if she was. Ms. Halpern said she felt the letter of reprimand Maryland imposed was too light. Ms. Nicholson reminded the Board they could only accept or reject the consent agreement. Mr. Price said he would like the consent to be sent back to request probation and 3 hours of CE on Ethics to be completed within one year. Mr. Price made a motion, seconded by Ms. Halpern, to reject the consent agreement for Ms. Mifflin, with notations made to the Deputy Attorney General that the Board proposed that the Respondent be sanctioned with a two-year probation and be required to complete 3.0 hours of CEs on Ethics. By majority vote, the motion carried, with Ms. Nellius being recused.

The Board recessed for a 10-minute break. The meeting began again at 10:45 a.m.

Hearing Officer Recommendations

Karen Decker, RN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. Ms. Decker admitted to a drug problem, which is a violation of Board Rule 10.4.2.28. The Hearing Officer Recommendation was sent to all parties and Ms. Decker sent her comments in to the Board within the 20-day timeframe allotted her. Her letter indicated that she had been working at Beebe Hospital since 2003 with excellent yearly evaluations. She said she went to work at Sussex Correctional Institute, where she received verbal abuse. Since leaving SCI she has been seeing a counselor. Ms. Decker said the counselor feels she no longer needs treatment. She explained in her letter that she has been applying for nursing jobs since 2011 and began working in June 2012 at the Dialysis Center where she currently works. She requested that the Board consider only giving her probation so she can continue to work, as opposed to suspending her license. Mr. Price asked if she had been practicing nursing for the past two years. Ms. Davis-Oliva said her letter stated she had been working in insurance; however, her evaluation stated she was interviewed in 2011 at the Dialysis Center where she is currently working. Dr. Contino said if the Board's goal is to protect the public, then what Ms. Decker did warrants a suspension. Ms. Tyranski wondered if she is working with medications in the Dialysis Center. Mr. Salati said he felt she shows a pattern and finds it hard to believe the counselor says she doesn't need any further counseling. Mr. Price said he commended her for taking herself out of the nursing realm but concurs with Mr. Salati. After much discussion, Mr. Price made a motion, seconded by Ms. Halpern, to recommend a 5-year suspension, stayed for a 2-year suspension and a 3-year probation; during which time monthly drug screens are required and any violation will result in automatic suspension; Ms. Decker not be allowed to give any controlled substances, and must come before the Board to have her probation lifted after the 3-year term. By majority vote, the motion carried, with Ms. Nellius being recused.

Valerie Plaska, LPN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. The recommendation stated Ms. Plaska was in violation of CE requirements after being selected for a random audit. It was recommended that Ms. Plaska receive a letter of reprimand and immediate suspension until she provides proof of 24 CEs and the required practice hours to the Executive Director. Her license will also

be flagged for the next audit. Mr. Sanders made a motion, seconded by Mr. Salati, to accept the Hearing Officer Recommendation as written. By unanimous vote, the motion carried.

Mr. Salati commended the Hearing Officers for being thorough and consistent with previous CE audit recommendations.

Nelledy Hughes, LPN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. The recommendation stated Ms. Hughes failed to properly secure prescription medication that she was responsible for while working at the Department of Corrections. The State did not allege this was diversion so the Hearing Officer found Ms. Hughes as 'not competent to safely practice'. The recommended discipline is a letter of reprimand and a year of probation, during which time Ms. Hughes must earn 3 CEs in dispensing and administration; 3 CEs in ethics; and 3 CEs in patient confidentiality. The earned CEs will not count towards the next audit period, and after 6 months of probation, Ms. Hughes may petition the Board to have her probation lifted. Mr. Deputy made a motion, seconded by Ms. Tyranski, to accept the Hearing Officer Recommendation as written. By majority vote, the motion carried, with Mr. Price abstaining and Ms. Nellius recused.

Rachel Baynard, RN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. It stated Ms. Baynard was previously placed under emergency temporary suspension by the Board in January 2013. A full evidentiary hearing was convened on February 28, 2013 with Ms. Baynard present. During the February hearing Ms. Baynard admitted to suffering from an addiction problem and that she is presently unable to practice nursing. Ms. Baynard stated at the hearing that although she cannot practice currently, she hopes to return to her chosen profession at some point in the future. Dr. Contino made a motion, seconded by Mr. Sanders, to accept the Hearing Officer Recommendation as written. By majority vote, the motion carried, with Ms. Nellius recused.

Shirley Sutton, LPN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. The recommendation stated Ms. Sutton, while working at the Delaware Hospital for the Chronically Ill in 2008, ingested several prescription medications without telling her supervisor. In February 2010 she received a 5-day suspension for misconduct related to theft; and in March 2010 she was found with Adavan in her pocket that should have been administered to a patient but was claimed to be missing. Ms. Sutton was criminally charged as a result of the March 2010 incident. She successfully completed the Superior Court's drug diversion program. Ms. Sutton was not criminally convicted. She did not show up for her hearing; however, the Hearing Officer Recommendation finds that she showed a pattern of theft and consumption of controlled substances. It stated that Ms. Sutton had conducted herself unprofessionally in violation of the Board's statute and the Rules and Regulations regarding conforming to acceptable standards towards addiction and diversion. The recommended discipline is a 3-year suspension and she has to demonstrate compliance. Ms. Halpern made a motion, seconded by Mr. Salati, to suspend Ms. Sutton's license for five years, have her do random drug screens monthly, and earn a total of 12 CEs with 6 CEs in Ethics and 6 CEs in Substance Abuse; and with recommendations #3, #4, and #5 to remain as written. By majority vote, the motion carried, with Mr. Deputy recused.

Jodie Zlotorzynski, RN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. Ms. Zlotorzynski is a Maryland licensee and is working in Delaware under a compact license. The Maryland Board of Nursing has disciplined her and she is in their treatment program. The Hearing Officer finds that in June 2012 she asked another nurse to falsely document waste of a narcotic medication so she could retain

those medications for her own use. This was unprofessional conduct. The violations are addiction to habit forming drugs, practicing while unfit, and failure to take appropriate actions to safeguard patients. The recommended discipline is to have her multi-state privilege to practice in Delaware be suspended for a minimum of three years, and that the suspension not be lifted until she can demonstrate that she has come into full compliance with all the terms and conditions of what Maryland has placed on her, that she give this Board full releases so they can see everything that is happening in Maryland with regard to her license, and that all costs are paid for by her. Dr. Contino made a motion, seconded by Mr. Sanders, to approve the recommendation as written. By unanimous vote, the motion carried.

Meredith Rathkamp, RN

Ms. Davis-Oliva summarized the Hearing Officer Recommendation for the Board. Ms. Rathkamp is alleged with unprofessional conduct due to conviction of a crime substantially related to the practice of nursing. She was found in her car on March 2012 in possession of drugs, paraphernalia, and pills, and was charged with a DUI. She was convicted of DUI and was sentenced to fines, probation, and a substance abuse evaluation. She also plead guilty to one count of theft under \$1500 and possession of drug paraphernalia. Since she was a first offender, she wasn't convicted, but rather the charge went to unprofessional conduct because she admitted to the theft and possession. She can operate under compact licensure. Her license is currently lapsed but she may seek reinstatement. It is recommended that Ms. Rathkamp receive two years suspension; not to be lifted until she can show successful completion of the diversion program. She is responsible for her own treatment and she needs to show proof of 12 CEs earned. Ms. Nicholson said the State requested that the Hearing Officer recommend Ms. Rathkamp's license be revoked and she be permanently barred from practicing in Delaware. Ms. Davis-Oliva said this was not in the recommendation. Mr. Price said he would like to see the suspension increased to five years. Mr. Price made a motion, seconded by Ms. Tyranski, to accept the recommendation with the following changes: to increase Ms. Rathkamp's suspension to five years; to have a substance use evaluation now and to follow the recommendations of the treatment provider for random drug screens; and another complete substance use evaluation done within 30-days prior to coming back to the Board to have her suspension lifted. By unanimous vote, the motion carried.

The meeting was recessed at 11:40 a.m. The meeting resumed at 12:45 p.m.

DISCIPLINARY HEARINGS

None

LEGISLATIVE UPDATE

Consensus Model Bill

Dr. Zickafoose said the Board of Pharmacy made the only change. They requested an addition under the very last section of the bill under prescriptions. She said they requested an addition under 7a, 'The State of Delaware Controlled Substance Requirements'. She said Mr. Price covered most of this in his report. This bill has been sent to most of the National Organizations, including the AARP, which was left out of the earlier report. Delaware's AARP Representative has been in contact and said they would like to help with lobbying efforts. Lobby Day is scheduled for May at Legislative Hall. Dr. Zickafoose asked if the Board feels any language changes are needed for the bill, and asked them for their support. Ms. Nicholson asked for any recommendations and there were none. Mr. Price thanked Dr. Zickafoose and Ms. Davis-Oliva for all the hard work they have done in helping this bill move forward. Dr. Contino said according to the bill now you have to pass a certification exam in order to have an APRN license. He said what they are seeing now is ANCC dropping and adding exams all the time. One of the ANCC exams will be dropped on July 14th and evaluation will happen through portfolio assessment. People wanting the certification as an Advanced Public Health Nurse will no longer have an exam to take for that; they will have to submit a portfolio. They will get the designation of Advanced Public Health Nurse

'BC' (for Board Certified). Dr. Zickafoose said she has a Master's degree in Nursing Administration and is Board Certified, but she is not eligible for Advanced Practice Nurse licensure. Mr. Price made a motion, seconded by Dr. Contino, to accept the Consensus Model bill as written to change the language in statute. By unanimous vote, the motion carried.

REVIEW OF COMPLIANCE

None

PRACTICE WITHOUT LICENSURE REVIEWS

Dr. Zickafoose said there was one person who practiced without a license over 90 days; therefore, a complaint was filed.

PRACTICE ISSUES

None

EDUCATIONAL ISSUES

Dr. Zickafoose received a letter from Tammy Paxton, DTCC, Owens Campus, stating that Owens Campus would like to use the LPN curriculum from the Terry Campus; however, they are going to go for their own NLNAC accreditation. Their proposed timeline is for a Fall 2016 NLNAC site visit. Mr. Price made a motion, seconded by Mr. Deputy, to grant approval for the changes at DTCC. By unanimous vote, the motion carried.

LICENSURE ISSUES

None

NCSBN

Dr. Zickafoose gave the following scheduling information:

- The NCLEX Conference is scheduled for September 9th in Chicago.
- A special Executive Officer meeting for National Licensure issues is scheduled for July 15th and 16th. Dr. Zickafoose plans to attend.
- NLCA Annual Meeting is August 13th. Dr. Zickafoose plans to attend.
- The Annual meeting for the National Council is August 14th and 15th in Providence, Rhode Island. Dr. Contino said he would like to attend this meeting if Ms. Nicholson cannot go.
- Long-Term Care Conference – no one is attending this year.
- Disciplinary Conference in Annapolis, MD – Ms. Davis-Oliva is attending this year, along with Investigator Mr. David Tetrault. Dr. Zickafoose said she hopes to attend this on June 7th because the program will be discussing voluntary treatment options, substance use disorders, and diversion.
- National Council's IT Conference – Division Operations staff member Ms. Priscilla Zhinin will be attending two days at the end of May.

LICENSEE RATIFICATION

Dr. Contino made a motion, seconded by Mr. Deputy, to ratify the licensee list. By unanimous vote, the motion carried. (The ratification list is attached)

PUBLIC COMMENT

None

NEXT SCHEDULED MEETING

May 8, 2013 - 9:00 a.m.

861 Silver Lake Blvd., Cannon Building, Conference Room A, Dover, DE 19904.

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing

HEARING MINUTES

HEARING – Debra Ogaja Owino, RN

The Delaware Board of Nursing held a hearing on April 10, 2013, at 1:05 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Kathy Bradley, Lyron Deputy, Diane Halpern, Madelyn Nellius, David Salati, Tracy Littleton, Delphos Price, Harland Sanders Jr., Pamela Tyranski

RECUSED: None

EXCUSED: Robert Maddex, Mary Lomax, Gwelliam Hines (resigned, effective this date)

PURPOSE: Lift Probation

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing
Sheryl Paquette, Nursing Board Liaison

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Debra Ogaja Owino, RN

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 1:05 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Owino was present. Board Exhibit #1 included Ms. Owino's February 6, 2013 letter to the Board requesting that her probation be lifted and Dr. Zickafoose's email response of February 18, 2013 indicating Ms. Owino would be placed on the April agenda. Ms. Owino gave a statement into the record. The Board members questioned her.

At 1:42 p.m. the Board called Dr. Zickafoose as a witness. Dr. Zickafoose was sworn in and gave testimony regarding Ms. Owino's compliance of the Board Order dated March 15, 2012. Ms. Owino was placed on probation on March 15, 2012 until March 15, 2013, at which time she could petition the Board to lift her probation after she completed her CEs and had her substance abuse evaluation. It took from March 2012 until July 2012 to get her enrolled with First Lab where she was being tested two times per month. Dr. Zickafoose testified about Ms. Owino's monthly reports from First Lab and the report she received from Mr. Gale. Mr. Gale's opinion has always been that Ms. Owino didn't have a drug or alcohol problem. Ms. Owino requested her First Lab tests be reduced from two times per month to one and the Board approved that request.

Ms. Tyranski asked if Ms. Owino made her aware that she was still working during this time. Dr. Zickafoose said she didn't recall her mentioning it to her; however, a report submitted from Ms. Owino to her on September 29, 2012 stated she answered 'yes' to a question that asked if she was currently working at Health Solutions as a Field Representative. Dr. Zickafoose said Ms. Owino does not have any restrictions on medication administration and her random drug screens have been negative. As there were no other questions, the Board went off the record for deliberations at 1:52 p.m.

Dr. Contino said he didn't feel she was compliant with the terms of the probation as she didn't notify her employer until three months after her license was put on probation. There was also considerable discussion about possible missed calls to First Lab. The consensus was that Ms. Owino had a hardship issue that caused her to miss some of the calls, but she was compliant and completed what was requested of her. Mr. Price made a motion, seconded by Mr. Sanders, to lift probation with no stipulations at this point. By majority vote, the motion carried.

The hearing concluded at 2:12 p.m.

HEARING MINUTES

HEARING – Allison Fayock, RN

The Delaware Board of Nursing held a hearing on April 10, 2013, at 2:17 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Kathy Bradley, Lyron Deputy, Diane Halpern, Madelyn Nellius, David Salati, Tracy Littleton, Delphos Price, Harland Sanders Jr., Pamela Tyranski

RECUSED: None

EXCUSED: Robert Maddex, Mary Lomax, Gwelliam Hines (resigned, effective this date)

PURPOSE: Proposed to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing
Sheryl Paquette, Nursing Board Liaison

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Allison Fayock, RN

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 2:17 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Fayock was present. At the September 12, 2012 Board of Nursing meeting, the Board reviewed Ms. Fayock's application for licensure by endorsement. That application included a copy of her agreement with the state of Pennsylvania indicating an agreement with that licensing board. The Board in September determined that Ms. Fayock could be granted licensure conditional upon her participation in Delaware's Voluntary Treatment Option program for three years. Following that vote, however, additional information was received from the Pennsylvania Nurse Assistance Program indicating that Ms. Fayock did not qualify for the Delaware program and, therefore, in November 2012 this Board voted to propose to deny her application for endorsement as it appeared she did not meet the statutory qualifications for licensure. The Board proposed to deny the application as it appeared Ms. Fayock may have been guilty of fraud or deceit in procuring, or attempting to procure, a license to practice nursing and that she was habitually intemperate or was addicted to the use of habit forming drugs. Specifically, inconsistencies were noted in Ms. Fayock's letter of explanation dated July 29, 2012 regarding her substance abuse rehabilitation program, as well as her time of abstaining from the use of substances.

Board Exhibit #1 included a copy of the November 27, 2012 letter notifying Ms. Fayock of the Board's decision to propose to deny her application; a copy of her application, including supporting documents which included documentation from the state of Pennsylvania; and four status reports to this Board in July 2012 and September 2012. Also included in Board Exhibit #1 is a Pennsylvania PNAP monitoring treatment contract received by the Division on October 23, 2005.

Applicant's Exhibit #1 included a copy of a letter dated April 9, 2013 from the Pennsylvania Nurse Peer Assistance Program, addressed to Executive Director Zickafoose, from Ms. Theresa Moore, Case Manager.

Applicant's Exhibit #2 included a copy of Ms. Fayock's monitoring treatment contract.

Ms. Fayock was sworn in and gave a statement into the record. The Board went off the record at 2:38 p.m. for deliberations. The Board went back on the record at 2:39 p.m. Ms. Nellius made a motion, seconded by Mr. Deputy, to grant a waiver for licensure by endorsement, with a provision that a report from the monitoring program in Pennsylvania be sent to Delaware. By unanimous vote, the motion carried.

The hearing concluded at 2:40 p.m.

Mr. Price and Ms. Halpern left the meeting at 2:40 p.m.

HEARING MINUTES

HEARING – Elizabeth Frankel, RN

The Delaware Board of Nursing held a hearing on April 10, 2013, at 2:44 p.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Evelyn Nicholson, Robert Contino, Kathy Bradley, Lyron Deputy, Madelyn Nellius, David Salati, Tracy Littleton, Harland Sanders Jr., Pamela Tyranski

RECUSED: None

EXCUSED: Robert Maddex, Mary Lomax, Gwelliam Hines (resigned, effective this date), Delphos Price (left the meeting at 2:40 p.m.), Diane Halpern (left the meeting at 2:40 p.m.)

PURPOSE: Proposed to Deny

PRESIDING: Evelyn Nicholson, President

BOARD STAFF: Pamela Zickafoose, Executive Director of Nursing
Sheryl Paquette, Nursing Board Liaison

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Patty Davis-Oliva, DAG

DEPUTY ATTORNEY GENERAL FOR THE STATE:

RESPONDENT: Elizabeth Frankel, RN

COUNSEL FOR THE RESPONDENT: None

WITNESSES FOR THE STATE: None

WITNESSES FOR THE RESPONDENT: None

COURT REPORTER PRESENT: Juli LaBadia, Wilcox and Fetzer

TIME STARTED: 2:44 p.m.

The recorder took verbatim testimony. The Board members introduced themselves. Ms. Davis-Oliva described the reason for the hearing and confirmed Ms. Frankel was present. Board Exhibit #1 included a copy of the March 14, 2013 letter notifying Ms. Frankel of the Board's decision to propose to deny her application and a copy of her application, including supporting documents, which included documentation from the state of New Jersey relating to discipline.

Ms. Frankel was sworn in and gave a statement into the record. Dr. Contino asked her how much longer she needs to be monitored. Ms. Frankel said New Jersey didn't put a deadline on this. She said her monitoring started in 2010 and the length of time for monitoring is usually five years. She said she will continue with monitoring if she moves to Delaware.

The Board went off the record at 2:50 p.m. for deliberations. The Board went back on the record at 2:51 p.m. Mr. Salati made a motion, seconded by Ms. Bradley, to grant a waiver for licensure by endorsement. By unanimous vote, the motion carried.

The hearing concluded at 2:52 p.m.

Licensee Ratification Listings (for RN's, LPN's, and APN's)

April 2013 Licensee Listing – RN's (101)

L1-0043168	Dippolito, Nicole M.	L1-0043222	Rooney, Hope A.
L1-0043169	Bronk, Kimberly K.	L1-0043223	DeBonis, Rebecca A.
L1-0043170	Miller, Lauren L. DelBuono	L1-0043224	Janusiewicz, Nedra T. Davidson
L1-0043171	Okagbare, Jennifer O. Otojare	L1-0043225	Lynch, Danielle Nicole
L1-0043172	Traylor-Pearson, Latarsha L.	L1-0043226	Ndi, Alfred Ambe
L1-0043173	Leech, Krista V.	L1-0043227	Oyerly, Heather Willey
L1-0043174	Edmonds, Talena L.	L1-0043228	Pratt, Daniel J.
L1-0043175	Fortson, Kimberly N.	L1-0043229	Ragoro, Ruth Joan Peloton
L1-0043176	Davis, Nory E.	L1-0043230	Stampf, Courtney N.
L1-0043177	Jackson, Melissa A.	L1-0043231	Ridenour, Jennifer L. Wegrzyn
L1-0043178	Marvel, Melissa L.	L1-0043232	Gillaspy, Theresa M. Zoeller
L1-0043179	McKelvey, Robin G. Fredhoff	L1-0043233	Givens, Caitlin B. Dolby
L1-0043180	Murphy, Krystine B. Amanna	L1-0043234	Logan, Amanda L.
L1-0043181	Rawding, Crisa L.	L1-0043235	Patel, Nia D.
L1-0043182	Casper, Heather D. Retzer	L1-0043236	Rhoads, Samantha J. Bright
L1-0043183	Grodanz, Elizabeth S.	L1-0043237	Richards, Tamarrah A. Robb
L1-0043184	Klementowich, Laurie A.	L1-0043238	Stuckman, Patricia E. Tomasko
L1-0043185	Semenoro, Gabriele C. Klimm	L1-0043239	Vanderslice, Cara M. Vucci
L1-0043186	Haut, Catherine M. Maranto	L1-0043240	Woodside, Tara L.
L1-0043187	Sales-Thompson, Wanda K.	L1-0043241	Angell, Sarah K.
L1-0043188	Parisi, Kristin V.	L1-0043242	Boyd, Antoinette E.
L1-0043189	Tarbay, Cori L. Casey	L1-0043243	Coppol, Alana K.
L1-0043190	Peckel, Jessica R.	L1-0043244	Dubey, Priya Shukla
L1-0043191	Lewan, Luke	L1-0043245	Hauss, Laura L. Byers
L1-0043192	Maddox, Erica Evans	L1-0043246	Laughlin, Wendy Y. Wilson
L1-0043193	Malecdan, Frances Ollie M.	L1-0043247	Rosenberg, Natalie C.
L1-0043194	Cameron, Megan E. Groves	L1-0043248	Hauser, Nicole C. Shufelt
L1-0043195	Whitley, Teresa L. Leonhard	L1-0043249	Harrison, Kevin Mason
L1-0043196	Wright, Anna Marie Mohlman	L1-0043250	Davis, Jatolloa M.
L1-0043197	Van, Mark L.	L1-0043251	Frimmel, Leia J.
L1-0043198	Strauss, Aleksandra M.	L1-0043252	Allwein, Kathy J. Smith
L1-0043199	Toler, Lauren A.	L1-0043253	Aiyegbo, Olufunmilayo A.
L1-0043200	Poinsett, Lesa Marks	L1-0043254	Burkhimer, Vincent C.
L1-0043201	Oh, Kevin	L1-0043255	Babicki, Christine
L1-0043202	Jalio, Erica M.	L1-0043256	McGowan, Leigh K.
L1-0043203	McKee, Jennifer M. Jenkins	L1-0043257	Hughes, Erin E.
L1-0043204	Reed, Seth M.	L1-0043258	Pisarcik, Christine E. Sullivan
L1-0043205	Vonschmidt, Jeffrey G.	L1-0043259	August, Jody Danielle
L1-0043206	Wilk, Jeannine Falcone	L1-0043260	Brun, Kimberly R.
L1-0043207	Carlisle, Luke T.	L1-0043261	Wooten, Linda J. Howell
L1-0043208	Dinally, Eric N.	L1-0043262	Drakes-Chester, Ceyon M.
L1-0043209	Bond, Patricia A.	L1-0043263	Bagirimvano, Valentine M.
L1-0043210	Dattilo, Susan	L1-0043264	Kline, Christina H. Frey
L1-0043211	Eichner, Ronald C., Jr.	L1-0043265	Weichert, Kenneth E.
L1-0043212	Ferrara, Deborah L. Hersh	L1-0043266	Stern, Andrea E.
L1-0043213	Blohm, Christina L. White	L1-0043267	O'Connor, Michele A. Vermette

L1-0043214	Baier, Amanda C.	L1-0043268	Lewis, Patricia A. McKinnie
L1-0043215	Tuttle, Melissa A. Fagan		
L1-0043216	Sin, Mithona		
L1-0043217	Mujemulta, Lilia D.		
L1-0043218	Martins, Michelle A. Carfagno		
L1-0043219	Pankonien, Patrice M. Prendergast		
L1-0043220	Parrish, Kimberlee L. Stefanosky		
L1-0043221	Reese, Cynthia A. Volz		

April 2013 Licensee Listing – LPN's (23)

L2-0011955	Balogun, Bola D. Bolaji
L2-0011956	Hill, Sharai Michaela
L2-0011957	Lorah, Jessica R.
L2-0011958	McKnight, Doreen L. Dudley
L2-0011959	Rendina, Amber N.
L2-0011960	Waterman, Karilynn R.
L2-0011961	Kabbaj, Yassine
L2-0011962	Abimbola, Abai I.
L2-0011963	Stevenson, Na'im W.
L2-0011964	Davis, Daniel
L2-0011965	Jones, Jacqueline V.
L2-0011966	LaRose, Ashley M.
L2-0011967	Moore, Justin V.
L2-0011968	Clarke, Victoria M.
L2-0011969	Larkin, Martha B.
L2-0011970	Kear, Fatu W.
L2-0011971	Emeatem, Antoinette
L2-0011972	McCarthy, Ryan Lynne
L2-0011973	McMillan, Donna M. Nimitzek
L2-0011974	Kissick, Casey Lyn
L2-0011975	Kargbo, Dauda
L2-0011976	Bolden-Njie, Breneda A.
L2-0011977	Jarboi, Yassah M. Moluwoi

APN License Listing April 2013

Lauren Miller	CRNA
Bimpe Adenusi	CRNA
Kimberly Bickel	Adult NP
Charlene Madanat	FNP
Jeremiah Campbell	FNP
Dana Cortese	FNP
Clare Matis	FNP
Grace Kimani	FNP
Bridget Rose	FNP
Amanda Farina	FNP
Adrienne Fisher	FNP
Annmarie Fenton-Kowrach	FNP

Stefanni Key	FNP
Raji Mathew	FNP
Angela Pollock	FNP
Reshma Singh	FNP
Debra Delaney	FNP
Jessica Baxter	FNP
Lisa Rossi	FNP
Nicole Heap	FNP
Ceyon Drakes-Chester	FNP
Kathleen Dressel	FNP
Catherine Haut	Pediatric NP
Lindsay Robinson	Nurse Midwife

APN Prescriptive Authority

Certified Registered Nurse Anesthetist

Lauren Miller

Nurse Midwife

Kristina Anderson
Lindsay Robinson

Family Nurse Practitioner

Courtney Russ
Stephanie Fellenger
Judith White
Dana Cortese
Adrienne Fisher
Annamarie Fenton-Kowrick

Pediatric Nurse Practitioner

Catherine Haut

Adult Nurse Practitioner

Kimberly Bickel